

## NO LAW AGAINST EATING ALL HISKEY

Volstead Act Does Not Forbid  
Physicians to Prescribe  
Booze Baths.  
ELATION AT LOOPHOLE  
Test Cases Probably Will Be  
Made to Make Breach in  
Prohibition.

Special Despatch to THE NEW YORK HERALD.  
New York, Sept. 3.—[By Associated Press.]  
Legal sharpshooters in Washington who have followed the evolution and development of prohibition enforcement in the United States have discovered a hole in the Volstead law, "a thousand yards wide." They are preparing to press their advantage, and one or more test cases bearing upon the quantity of whiskey which can be withdrawn on a physician's prescription are to be brought according to present plans.  
It seems that Mr. Volstead in drawing the act designed to dry up the United States, muffed at least one mighty important point. This muffed left more than a loophole—it is a complete breach of the dry works, in the opinion of the discoverer and at least one Government official. Prohibition officials say they are not alarmed, however. They say a rule of reason and not of technicality will prevail.  
In framing the medicinal whiskey provision of the Volstead act, section 7, title 2, it was provided that no physician shall prescribe more than one pint in any ten day period to be taken for internal use by any person. There is no restriction on the external use. If a physician will prescribe two barrels for a bath, it is said that that will be the prescription must be filled. So far as the law is concerned, it is declared a man may procure enough rye to wash himself from head to foot three times a day in any brand of "hooch" that his aesthetic taste desires.

No Bath Diving Allowed.  
Of course, the physicians prescribing whiskey in order to see that their patients did not violate the law would have to write plainly on the face of the prescription calling for a barrel of booze "for external use only," and further it would be their duty to instruct recipients of prescriptions under no conditions to dive under the surface when reclining in their bath.

It is not specified in the act that a physician may not prescribe any brand of alcoholic stimulant for such a day external use. Section 7 goes further in placing the key to the "national wine and hooch" cellars in the hands of physicians by providing that any physician who issues a prescription for liquor shall keep a record, alphabetically arranged in a book prescribed by the commissioner, which shall show the date of issue, amount prescribed, to whom issued, the purpose of ailment for which it is to be used and directions for use, stating the amount of frequency of the dose.

A pint in ten days for internal use is clear enough in meaning, but a barrel a day for external use, apparently is not prohibited, and in the interpretation of the law is in order at all times.

For instance, a man is ill with a severe case of typhoid; he needs an alcohol bath. The physician, wishing to save his patient, decides that a bath in spirituous liquor is necessary. The law not prohibiting, he is well within his right as a practitioner to order as much whiskey from the nearest drug store as will fill a capacious tub in which to "soak" the patient.  
"House" is well taken, according to an official of the Internal Revenue Bureau who points out that any man regardless of his physical condition, who was suddenly immersed in his eyebrows in a tub filled with rich brown booze, would recover long enough to let a portion trickle down his throat.

"Any man who of his own free will bathed in whiskey should be in the fool's ward at St. Elizabeth's," the Government Hospital for the Insane," he said. "Whiskey always has been intended for use as a medicine and not as a cleansing fluid." The Internal Revenue Bureau has ample provision for the latter.  
The loophole for the physician who honestly believed that whiskey would do the work if taken in bath form and to keep fever away, is the fact that any reference to external use of spirituous liquors has been omitted from the Volstead act.

Incidentally the Bureau of Internal Revenue is waiting eagerly to seize any one who attempts to construe the law as meaning that it is legal to drain a warehouse on one prescription and see if the Judge reaches the same conclusion regarding the meaning of the act.

It is deemed likely that should a test case result in physicians being empowered to prescribe whiskey for external use an epidemic of "epidermal ailments" would quickly seize upon the residents of the United States and that soon there would be few homes without an extra bath tub in which papa took his daily dip to check the spread of some infection such as lack of moisture in the hide. It is thought that gargles of absinthe and footbaths of gin, not to mention a rock and rye shampoo, would become necessary for the welfare of many good citizens.

TRAIN ROBBERS GET  
\$4,000 IN PULLMANS  
Hold Up Passengers at Stop to  
Take On Dining Car.  
Special Despatch to THE NEW YORK HERALD.  
COUNCIL BLUFFS, Sept. 3.—Two masked gunmen robbed the passengers in two Pullman cars of more than \$4,000 while dining car was being added to the train in Pacific Junction, near here, Thursday evening, it was learned today.  
Wilbur Holman, salesman for a Kansas City grocery firm, says one masked man entered the Pullman in which he was sitting, and flourishing a gun, ordered the passengers into one end of the car. He searched their pockets after ordering them to face the opposite way.  
Passengers in the other Pullman report similar tactics by another bandit at the same time. The two men alighted from the train as soon as it commenced to move and disappeared in a cornfield.

NOTE TELLS OF SUICIDE.  
Found on Niagara Island and  
Signed W. F. Felts.  
NIAGARA FALLS, N. Y., Sept. 3.—A man's blue serge coat found on the Third Sister Island, State reservation, carried a note bearing the name of William F. Felts, Cortu, N. Y., and reading as follows:  
"Good-bye to this world that God made for some but not for me. I have carried a bank book issued in Buffalo carrying a deposit slip for \$20.

## BANK MAN INDICTED WITH 6 IN RUM PLOT

Continued from First Page.  
police protection which he was to furnish for the delivery of the liquor to Chicago saloons, says the Government. The liquor was purchased from Freedman & Richards of Cincinnati on bona fide permits obtained from the Federal agent, who is said to have accepted the \$15,000 bribe. The shipment was routed for delivery at a terminal in Lieut. Van Natta's police district.  
Kelly, a druggist, who says his name was forged on the permits, along with that of Hubert Howard, former prohibition director, told of the alleged plot. The carload of liquor was confiscated when it reached Chicago.

## BAD LIQUOR CONDEMNED GOOD SAVED AFTER RAID

Hospitals to Get Best of  
\$5,000 Worth Seized.  
County Judge Mitchell May in Brooklyn yesterday ordered the forfeiture of \$5,000 worth of liquors seized by the police on a search warrant in the home of Benjamin Bindel, at 97 Osborne street. The police charged that Bindel had been bootlegging liquor manufactured in his home.  
With the exception of a few bottles of champagne and red wine the entire supply was ordered destroyed. Chemists told Judge May the liquor was of the "hooch" variety. The champagne and wine will be turned over to hospitals for medicine.

## 2 MEXICANS ARRESTED WITH \$30,905 U. S. GOLD

Los Angeles Cop Refuses  
\$10,000 to Free One.  
LOS ANGELES, Sept. 3.—Augustin Autunex, who said he was a Mexican customs officer at Tijuana, Lower California, and Romero Breton, a clerk in the same office, were arrested here today with \$30,905 in United States gold coin in their possession. They and Harry J. Waldrup, chauffeur, were held on suspicion of robbery.

Autunex, the police said, told them he brought the gold into the United States "for safe keeping."  
Autunex declared, the police said, that the money had been turned over to him by Francisco Fernandez, collector of customs at Tijuana, who, he said, left that place Thursday last when he was informed a warrant for his arrest had been issued at Mexico city. Yesterday, Autunex said, he heard another warrant had been issued for the arrest of himself and Breton. He declared the warrants were the result of a "political movement," and he thought it best to bring the money into the United States.  
Patrolman J. L. Ballinger, who arrested Autunex, said the latter had in his pockets an automatic pistol and three railroad tickets for passage from Los Angeles to Chicago by way of Albuquerque.

"Autunex offered me \$10,000 in gold to let him go," Ballinger said. "I passed it up, though I had only sixty cents in my clothes."

## FINDS SEIZED LIQUOR IS NOTHING BUT FAKE

U. S. Chemist Says 90 Per Cent.  
of Stocks Taken in Raids Is  
a Synthetic Mixture.

GIN LATEST CONCOCTION  
Booze Mixers Extend Operations  
After Finding Imitation  
Whiskey Is Accepted.

Ninety per cent. of the liquor seized by Federal enforcement raiders in this city has not been real liquor at all, but a synthetic mixture of alcohol, water and coloring.  
R. A. Edson, chief chemist of the Federal laboratories with offices in the Federal Building, made that disclosure yesterday in explaining the methods by which the percentage of alcohol is computed from the samples of seized "hooch" brought in. The smell of non-genuine whiskey is quite noticeable, Mr. Edson said, as it has a raw alcohol odor from which whiskey is free, no matter of what quality.  
The "synthetic" booze mixers, having attained success in "doping" whiskey, Mr. Edson said, "are now putting out through the bootleggers a 'synthetic' gin, for which the formula is alcohol, water and oil of juniper."  
"But the juniper flavor is ranker than genuine gin," said Mr. Edson, "and I don't think any one gets much pleasure from drinking such stuff. The bootleggers usually put in too much oil of juniper."

As to the "kick" in the bootlegger brand of stocks, Mr. Edson finds the alcohol percentage in the seized stuff ranged from 40 to 50 per cent. In some of the Scotch whiskey seized small quantities of creosote were found.  
The determination of the alcohol content of the seized liquor is made by well known laboratory methods, larger samples being tested by a hydrometer which measures the specific gravity of the liquid being tested when dropped into water. Alcohol being lighter than water, the hydrometer sinks further in it, and the amount of alcohol can be gauged by the distance to which the hydrometer falls, comparing it with the same volume of water.  
"For rapid work on beer and wine with small per centages of alcohol an ebulliometer is used. The liquid is heated and the boiling point ascertained. A mixture of water and alcohol boils at a lower temperature than water. Sometimes for small samples of liquor a pycnometer is used, which measures the weight of the liquid, and by comparison with the weight of water the content of alcohol can be determined. A test is also made to determine whether the color of the fluid is genuine.  
Mr. Edson said that the Government tested Chinese wine to determine if it was suitable for consumption, suspicion being aroused by the ill-smelling odor. It was found, however, that the wine was made from rice spirit and a decoction of herbs, and its importation was permitted for medicinal purposes.

J. W. H. CRIM APPOINTED.  
WASHINGTON, Sept. 3.—John W. Crim of New Jersey was appointed an Assistant Attorney General by President Harding today.



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